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TRANSMITTAL FORM Filing Date 3/16/2001 First Named Inventor BROUN, Pierre	0651-00	PTO/SB/2 I for use through 04/30/2003, OMB 06 Office; U.S. DEPARTMENT OF COM unless it displays a valid OMB control	nt and Trademark (U.S. Pate	ion Act of 1995, no perso	e Paperwork Red		5 200
FORM (to be used for all correspondence after initial filing) Total Number of Pages in This Submission ENCLOSURES ENCLOSURES (Check all that apply) ENCLOSURES (Check all that apply) Fee Transmittal Form Fee Attached Licensing-related Papers Petition After Final After Final After Final After Final Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts Information Disclosure Statement Response to Missing Parts Incomplete Application Response to Missing Parts Individual Jeffrey M. Libby, Ph.D., Reg. No. 48,251 Notal Number of CD(s) Firm Jeffrey M. Libby, Ph.D., Reg. No. 48,251 Named Inventor At Unit Lambertson, David A. After Aliowance Communication to a Technology Center (TC) After Aliowance Communication to a Technology Petition to a Technology Center (TC) After Aliowance Communication to a Technology Inc. Individual After Aliowance Communication to a Technology Inc. Individual Lambertson, David A. Atter Aliowance Communication to a Technology Inc. Individual Lambertson, David A. Atter Aliowance Communication to a Technology Inc. Individual Lambertson, David A. Atter Aliowance Communication to a Technology Inc. Individual Lambertson, David A. Atter Aliowance Communication to a Technology Inc. Individual Lambertson, David A. Atter Aliowance Communication to a Technology Inc. Individual Information Convert to a Provisional Apples of Appeal Communicatio			60 /810,836	Application Number			OFF.	C MAN
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United <u>States Postal Service with sufficient postals and the United States Postal Service with sufficient post</u>	stage a		with the United Stat	nsmitted to the USPTO or deposited	lence is being facsimile tr			

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SEP 1 5 2003

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F	EE TRANSMITTAL
	for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

Co	omplete if Known	
Application Number	09/810,836	RECEN
Filing Date	March 16, 2001	-OE/V
First Named Inventor	BROUN, Pierre	SED .
Examiner Name	Lambertson, David A.	SEP 16 200
Art Unit	1636	TECHGRIER 16mm
Attorney Docket No.	MBI-0032	TER TEAM

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Deposit Account	Mendel Biotechnology	, Inc	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Name I	oner is authorized to: (check al	that annly)	1053	130	1053	130	Non-English specification	
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Charge fee(	s) indicated below, except for th	e filing fee	1805	1,840*	1805	1,840*	Requesting publication of SIR after	
to the above-ide	entified deposit account.		i				Examiner action	
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1002 330	2002 165 Design filing fee		1401	320	2401	160	Notice of Appeal	
1003 520	2003 260 Plant filing fee		1402	320	2402	160	Filing a brief in support of an appeal	<b></b>
1004 750	2004 375 Reissue filing fe	e	1403	280	2403	140	Request for oral hearing	<del></del>
1005 160	2005 80 Provisional filing	fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	<b></b>
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**or number previously paid, if greater; For Reissues, see above **or number previously paid, if greater; For Reissues, see above \$\$								

(Complete (if applicable) SUBMITTED BY Registration No. Telephone 510-259-6138 Jeffrey M. Libby, Ph.D. 48,251 Name (Print/Type) Sept 11, 2003 Signature

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gardening, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO**: Commissioner for Patents, Washington, DC 20231.

PTO/SB/17 (01-03)

(Complete (if applicable)

Telephone 510-259-6138

11,2003

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE rwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB

## for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

1 5 2003

SUBMITTED BY

Name (Print/Type)

Signature

Jeffrey M. Libby, Ph.R

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Co	Omplete if Known	
Application Number	09/810,836	
Filing Date	March 16, 2001	
First Named Inventor	BROUN, Pierre	PRA
Examiner Name	Lambertson, David A.	TECEIVER
Art Unit	1636	On .
Attorney Docket No.	MBI-0032	St 15 7000

METHOD OF PAYMENT (check all that apply)  FEE CALCULATION (continued)				
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The Commissioner is authorized to: (check all that apply) 1053 130 Non-English specification				
Charge fee(s) indicated below Credit any overpayments 1812 2,520 For filing a request for ex parte reexamination	<b></b>			
Charge any additional fee(s) during the pendency of this application 1804 920* 1804 920* Requesting publication of SIR prior to Examiner action				
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				
FEE CALCULATION 1251 110 2251 55 Extension for reply within first month				
1. BASIC FILING FEE  1252 410 2252 205 Extension for reply within second month				
Large Entity Small Entity 1253 930 2253 465 Extension for reply within third month				
Fee Fee Fee Fee Description Fee Paid 1254 1 450 2254 725 Extension for rough month				
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1002 330 2002 165 Design filling fee 1401 320 2401 160 Notice of Appeal				
1003 520 2003 260 Plant filling fee 1402 320 2402 160 Filling a brief in support of an appeal				
1004 750 2004 375 Reissue filing fee 1403 280 2403 140 Request for oral hearing				
1005 160 2005 80 Provisional filing fee 1451 1,510 Petition to institute a public use proceeding				
SUBTOTAL (1) (\$) 1452 110 2452 55 Petition to revive - unavoidable				
1453 1,300 2453 650 Petition to revive - unintentional				
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 1501 1,300 2501 650 Utility issue fee (or reissue)				
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Multiple Dependent = 1807 50 1807 50 Processing fee under 37 CFR 1.17(q)				
Large Entity   Small Entity   Fee Fee Fee Description   1806 180   1806 180   Submission of Information Disclosure Stmt				
Code (\$) Code (\$) 8021 40 8021 40 Recording each patent assignment per				
1809 750 2809 375 Filling a submission after final rejection				
1201 84 2201 42 Independent claims in excess of 3 (37 CFR 1.129(a)) 1203 280 2203 140 Multiple dependent claim, if not paid 1810 750 2810 375 For each additional invention to be				
1204 84 2204 42 ** Reissue independent claims examined (37 CFR 1.129(b))				
over original patent 1801 750 2801 375 Request for Continued Examination (RCE)	<u> </u>			
1205 18 2205 9 ** Reissue claims in excess of 20 1802 900 1802 900 Request for expedited examination of a design application				
SUBTOTAL (2) (\$) 0 Other fee (specify)				
**or number previously paid, if greater; For Reissues, see above *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 0				

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Registration No.

(Attomey/Agent)

48,251

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REAR.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Office communication mailed August 11, 2003, and to the Office action mailed May 23, 2003, and regarding the above-referenced application. Please consider and make of record the following amendments and remarks. Entry of these amendments is respectfully requested.

This response is being filed on September 11, 2003, which date being 30 days after the mailing of the Office communication, and is thus timely filed.

## **AMENDMENT**

Amendments to the Claims are reflected in the listing of the Claims which begins on page 2 of this paper.

## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service, appropriate prepaid postage thereon, and addressed to Mail Stop Non-Fee Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 11, 2003.

Printed Name: Kathleen Muto

(Signature)